

RECEIVED **ATTORNEYS AT LAW** WASHINGTON HARBOUR CENTRAL FAX CENTER
3000 K STREET, N.W., SUITE 500
WASHINGTON, D.C. 20007-5143
TELEPHONE: 202 570 530 NOV 0 6 2006 TELEPHONE: 202.672.6300 FACSIMILE: 202.672.5399 WWW.FOLEY.COM

FACSIMILE TRANSMISSION

Total # of Pages (including this page)

TO:	PHONE #:	FAX #:
Commissioner for Patents		(571) 273-8300
	<u> </u>	

From: Stephen A. Bent

Email Address: sbent@foley.com

Sender's Direct Dial: 202.672.5404

Date: November 6, 2006

Client/Matter No: 030427-0108

User ID No: 0056

MESSAGE: U.S. Patent Appln. S.N. 09/813,292

ATTACHED PLEASE FIND THE FOLLOWING DOCUMENTS:

- 1. Notice of Appeal from the Examiner to the Board of Appeals (2 pgs) and
- 2. Credit Card Authorization Form (1pg).

If there are any problems with this transmission or if you have not received all of the pages, please call.

Operator:	Time Sent:	Return Original To:
		Carolyn F. Mascitelli

CONFIDENTIALITY NOTICE: THE INFORMATION CONTAINED IN THIS FACSIMILE MESSAGE IS INTENDED ONLY FOR THE PERSONAL AND CONFIDENTIAL USE OF THE DESIGNATED RECIPIENTS NAMED ABOVE. THIS MESSAGE MAY BE AN ATTORNEY-CLIENT COMMUNICATION, AND AS SUCH IS PRIVILEGED AND CONFIDENTIAL. IF THE READER OF THIS MESSAGE IS NOT THE INTENDED RECIPIENT OR ANY AGENT RESPONSIBLE FOR DELIVERING IT TO THE INTENDED RECIPIENT, YOU ARE HEREBY NOTIFIED THAT YOU HAVE RECEIVED THIS DOCUMENT IN ERROR, AND THAT ANY REVIEW, DISSEMINATION, DISTRIBUTION OR COPYING OF THIS MESSAGE IS STRICTLY PROHIBITED. IF YOU HAVE RECEIVED THIS COMMUNICATION IN ERROR, PLEASE NOTIFY US IMMEDIATELY BY TELEPHONE AND RETURN THE ORIGINAL MESSAGE TO US BY MAIL. THANK YOU.

RECEIVED CENTRAL FAX CENTER

NO. 6183 P. 2

NUV 0 6 2006

Atty. Dkt. No. 030427-0108

CERTIFICATE OF FACSIMILE TRANSMISSION

I hereby coulfy that this paper is being factimile transmined to the
United States Patent and Trademark Office, Alexandria, Virginia

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Applicant:

Børge KRINGELUM, et al.

Title:

METHOD FOR SUPPLY OF

STARTER CULTURES HAVING

A CONSISTENT QUALITY

Appl. No.:

09/813,292

Filing Date:

3/21/2001

Examiner:

Ruth A. Davis

Art Unit:

1651

NOTICE OF APPEAL FROM THE EXAMINER TO THE BOARD OF PATENT APPEALS AND INTERFERENCES

Commissioner for Patents P.O. Box 1450 Alexandria, VA 22313-1450

Sir:

Applicant hereby appeals to the Board of Patent Appeals and Interferences from the decision of the Examiner in the Final Office Action dated July 7, 2006, finally rejecting Claims 1-31.

- [] Applicant claims small entity status.
- [X] Applicant hereby petitions for an extension of time under 37 C.F.R. §1.136(a) for the total number of months checked below:
- [X] Notice of Appeal Fee

[X] To be paid as detailed below

11/07/2006 TL0111

00000028 09813292

[]Not required (Fee paid in prior appeal)

01 FC:1401 02 FC:1251

500.00 OP 120.00 OP

WASH_1743368.1

RECEIVED CENTRAL FAX CENTER

NUV U 6 2006

Atty. Dkt. No. 030427-0108

The required fees are calculated below:

[X]		
	Notice of Appeal Fee	\$500.00
[X]	Extension for response filed within the first month:	\$120.00
[]	Extension:	\$0.00
	FEE TOTAL:	\$620.00
[]	Small Entity Fees Apply (subtract 1/2 of above):	\$0.00
	TOTAL FEE:	\$620.00

A credit card payment form in the amount of \$620.00 is enclosed.

The Commissioner is hereby authorized to charge any additional fees which may be required regarding this application under 37 C.F.R. §§ 1.16-1.17, or credit any overpayment, to Deposit Account No. 19-0741. Should no proper payment be enclosed herewith, as by the credit card payment form being unsigned, providing incorrect information resulting in a rejected credit card transaction, or even entirely missing, the Commissioner is authorized to charge the unpaid amount to Deposit Account No. 19-0741.

Please direct all correspondence to the undersigned attorney or agent at the address indicated below.

Respectfully submitted.

FOLEY & LARDNER LLP

Customer Number: 22428

Telephone: (202) 672-5404

Facsimile:

(202) 672-5399

Stephen A. Bent

Attorney for Applicant

Registration No. 29,768